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25 JUL 2002

KAY

10-22-02

EXPRESS MAIL CERTIFICATE

Date 7/25/02 Label No. EV115470414-us

I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Commissioner for Patents, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

B.W. LEE  
Name (Print)

B.W. Lee  
Signature

PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00 OR CREDIT ANY EXCESS IN THE FEES DUE WITH THIS DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 04-0100

Customer No.:



07278

PATENT TRADEMARK OFFICE

Docket No.: 6181/OK439

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Dae-Gun KIM et al.

RECEIVED

Serial No.: 10/089,641 (National Phase of PCT/KR01/01295)

AUG 19 2002

Filed: March 28, 2002

TECH CENTER 1600/2900

Confirmation No.: 3102

For: EXPRESSION VECTOR CODING P972 GENE FOR CANCER THERAPY  
AND ADEOVIRUS PRODUCING THE SAME

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.  
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Hon. Commissioner for Patents  
Box PCT  
U.S. Patent and Trademark Office  
Washington, DC 20231

Sir:

Applicant submitted the following items to the U.S. PTO/RO on May 3, 2002:

1. Declaration and power of attorney, as executed by the inventors.
2. Payment of \$130.00 surcharge for furnishing the declaration later than 30 months from the earliest claimed priority date, as set forth in 37 CFR 1.16(l) and 37 CFR 1.27.

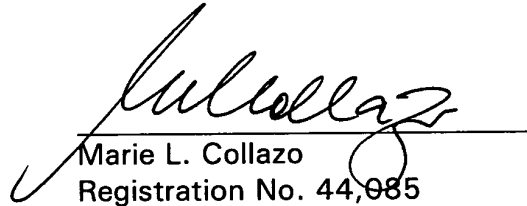
In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the DO/EO/US dated June 26, 2002, Applicant submits herewith copies of the transmittal, declaration and power of attorney, return receipt postcard and check, as filed via Express Mail on May 3, 2002.

Applicant also encloses a copy of the Notification of Missing Requirements under 35 U.S.C. 371 in the DO/EO/US.

No fees are believed to be due at this time. However, the Patent Office is authorized to charge any deficiency up to \$300.00 in the above fees, and to credit any excess, to our Deposit Account No. 04-0100.

Respectfully submitted,

Dated: July 25, 2002

  
Marie L. Collazo  
Registration No. 44,985

DARBY & DARBY P.C.  
Post Office Box 5257  
New York, NY 10150-5257  
212-527-7700

Return of this card properly stamped, will acknowledge receipt of:

National Phase Transmittal Letter/Second Submission of Items  
Concerning a Filing under 35 USC 371, with Fee Calculation  
Sheet (2 pp); Declaration and Power of Attorney (3 pp);  
Assignment with Form PTO-1595 (3 pp); Check # 6818 for  
\$170; Return Receipt Postcard

Applicant : Dae-Gun KIM et al.  
Serial No. : 10/089,641  
Filed : March 28, 2002  
For : **EXPRESSION VECTOR CODING P972 GENE  
FOR CANCER THERAPY AND ADENOVIRUS  
PRODUCING THE SAME**  
Attorney : S. Peter Ludwig/eeb  
File No. : 6181/OK439

Mailed : 5-3-02 Mailer: GK  
EV 028721113 WS

MEMO		10/089,641/OK439		10/089,641/OK439	
CITIBANK, N.A.		159 EAST 59TH STREET, 2ND FL.		NEW YORK, NY 10043	
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DARBY & DARBY P.C.		PATENT OFFICE ACCOUNT		805 THIRD AVENUE	
NEW YORK, NY 10022		DATE		5-3-02	
1-8552		43348074		6818	
COMMISSIONER OF PATENTS & TRADEMARKS		\$ 170.00		DOLLARS	
S. Peter Ludwig/eeb		DARBY & DARBY P.C.		10/089,641/OK439	
6818		1-8552		43348074	

6181/OK439

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

INTERNATIONAL APPLICATION NO.  
PCT/KR01/01295

INTERNATIONAL FILING DATE  
July 30, 2001

PRIORITY DATE CLAIMED  
July 31, 2000

TITLE OF INVENTION

**EXPRESSION VECTOR CODING P972 GENE FOR CANCER THERAPY AND ADENOVIRUS  
PRODUCING THE SAME**

APPLICANT(S) FOR DO/EO/US

Dae-Gun KIM, Won-Kyung CHO, Neon-Cheol JUNG, Young-Rim SEONG, Dojng-Soo IM, Seung-Suh HONG and Hyun-Soo LEE

Applicant herewith submits to the United States Designated/Elected office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S. C. 371 (b) and PCT Articles 22 and 39 (1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S. C. 371 (c) (2) )
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S. C. 371 (c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c) (3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A **separate** cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney an/or address letter.
16. ☐ Other items or information:

5-302

028721113-US

G. KARASZI g. Karaszi

U.S. APPLICATION NO. (if known sec 37 C.F.R. 1.50) -10/089,641		INTERNATIONAL APPLICATION NO.: PCT 01/01295		Attorney's Docket Number 6181/OK439	
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17. <input type="checkbox"/> The following fees are submitted:				CALCULATIONS	PTO USE ONLY
<b>Basic National Fee (37 CFR 1.492 (a)(1)-(5)):</b> Search Report has been prepared by the EPO <input type="checkbox"/> or JPO <input type="checkbox"/> <span style="float: right;">\$890.00</span>					
International preliminary examination fee paid to USPTO (37 CFR 1.482) ..... <span style="float: right;">\$710.00</span>					
No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445 (a) (2))... <span style="float: right;">\$740.00</span>					
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... <span style="float: right;">\$1,040.00</span>					
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).... <span style="float: right;">\$100.00</span>					
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input checked="" type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$130.00	
Claims	Number Filed	Number Extra	Rate		
Total Claims	10-20	0	X \$18.00	\$0.00	
Independent Claims	3-3	0	X \$80.00	\$0.00	
Multiple dependent claims(s) (if applicable)			+ 280	\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$130.00	
Reduction by 1/2 for filing by small entity, if applicable.				\$0.00	
SUBTOTAL =				\$130.00	
Processing fee of \$130.00 for furnishing the English translation later the <input type="checkbox"/> 20 <input type="checkbox"/> 39 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$130.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). the assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$40.00	
TOTAL FEES ENCLOSED =				\$170.00	
				Amount to be: refunded	\$
				charged:	\$

a. ☒ A check in the amount of **\$170.00** to cover the above fees is enclosed.

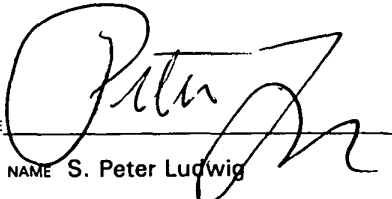
b. ☐ Please charge my Deposit Account No.04-0100 in the amount of \$ to cover the above fees.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-0100. A duplicate copy of this sheet is enclosed.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

S. Peter Ludwig  
 Darby & Darby P.C.  
 805 Third Avenue  
 New York, New York 10022-7513

  
 SIGNATURE  
 NAME S. Peter Ludwig  
 REGISTRATION NO. 25,351